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10 IN THE UNITED STATES DISTRICT COURT  
11 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
12 SAN FRANCISCO DIVISION

13 **EDMOND BELONEY,**

Petitioner,

15 **v.**

16 **ANTHONY HEDGPETH, Warden,**

Respondent.

C 07-4327 WHA (PR)

19 **DECLARATION OF COUNSEL IN SUPPORT OF RESPONDENT'S EX PARTE**  
20 **APPLICATION FOR FIRST EXTENSION OF TIME**  
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**DECLARATION OF  
COUNSEL IN SUPPORT OF  
RESPONDENT'S EX PARTE  
APPLICATION FOR FIRST  
EXTENSION OF TIME**

19 I, Joan Killeen, declare under penalty of perjury that:

20 I am a Deputy Attorney General of the State of California and am admitted to practice law  
21 in this state and before this Court. I have been assigned to represent respondent and to prepare the  
22 answer in this case. Respondent has made no previous request for an extension of time.

23 On August 28, 2007, this Court issued an Order to Show Cause, directing respondent to  
24 file an answer to the petition for writ of habeas corpus within sixty days.

25 I request an additional sixty days from the present due date of October 27, 2007, to prepare  
26 and file the answer. This request is not made for the purpose of delay. In the past sixty days, I filed  
27 the informal opposition to the petition for writ of habeas corpus in *In re Caramad Conley*, S148270,

1 the answer to the petition for writ of habeas corpus in *Roberson v. Runnels*, C 04-0272 JW, an  
2 opposition to a motion for stay and abeyance in *Nawi v. Evans*, C 07-0261 SI, and the respondent's  
3 brief in *People v. Young*, H030682. I am currently working on the respondent's brief in the  
4 previously assigned case of *People v. Le*, H031041. I must also complete the respondent's briefs  
5 in the previously assigned cases of *People v. Kolov*, A116163, and *People v. Gutierrez*, H030947,  
6 and the answers to the petitions for writ of habeas corpus in *Duvarado v. Giurbino*, C 05-5428 MHP,  
7 and *Terrell v. Runnels*, C 07-1457 SBA, before beginning work on this case. In addition, I will be  
8 out of the country on a prepaid vacation from November 2, 2007, through November 19, 2007.

9           Petitioner raises three claims for relief in connection with his 2005 convictions for two  
10 counts of first degree residential robbery committed for the benefit of, at the direction of, or in  
11 association with a criminal street gang. The reporter's transcript of the trial is over 1,550 pages long  
12 and the clerk's transcript is over 720 pages long.

13           In light of my current work load, the number of claims raised by petitioner, the necessity  
14 of reviewing the lengthy trial record to address those claims, and my prepaid vacation, I will be  
15 unable to prepare and file the answer by the current due date.

16           I have not contacted petitioner in this case because he is a state prisoner proceeding pro  
17 se.

18           Executed on October 26, 2007, at San Francisco, California.

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20                               /s/ Joan Killeen  
21                               JOAN KILLEEN  
22                               Deputy Attorney General  
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